

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF PENNSYLVANIA (Philadelphia)**

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DEBRA CONGO

Plaintiff,

v.

AMERICAN AIRLINES GROUP INC.,  
et al.

Defendants.

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:  
:  
:

NO. 2:20-cv-02322-JD

**JURY TRIAL DEMANDED**

AND NOW, this \_\_\_\_\_ day of \_\_\_\_\_, 2021, upon consideration of Plaintiff's Motion to Hold witness, Kenneth Koons in Contempt for failure to attend his deposition, it is hereby **ORDERED** and **DECREED** that Plaintiff's Motion is hereby **GRANTED** and Kenneth Koons is held in contempt, and shall make himself available for a deposition within fourteen (14) days of the date of this Order.

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Hon. Jan E. Dubois

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF PENNSYLVANIA (Philadelphia)**

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DEBRA CONGO	:	
	:	
Plaintiff,	:	NO. 2:20-cv-02322-JD
	:	
v.	:	
	:	
AMERICAN AIRLINES GROUP INC.,	:	<b>JURY TRIAL DEMANDED</b>
et al.	:	
Defendants.	:	

**PLAINTIFF’S MOTION TO HOLD WITNESS, KENNETH KOONS IN CONTEMPT**

1. This is an employment discrimination involving alleged racism.
2. Kenneth Koons was served with a subpoena to attend and testify at a deposition. (Exhs. A and B – subpoena and affidavit of service).
3. The deposition was to be held via telephone on February 25, 2021.
4. Mr. Koons failed to appear for his deposition. (Exhs. C– transcript of the witness’s non-appearance).
5. Plaintiff will be severely prejudiced if this deposition is not conducted. This witness was one of Plaintiff’s co-workers and has knowledge of Plaintiff and Defendants’ operations and actions.

**WHEREFORE**, Plaintiff respectfully requests this Honorable Court enter the attached proposed Order holding Kenneth Koons in contempt of Court.

**WEISBERG LAW**

/s/ David A. Berlin  
David A. Berlin, Esquire  
Matthew B. Weisberg, Esquire  
*Attorneys for Plaintiff*

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF PENNSYLVANIA (Philadelphia)**

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Plaintiff,	:	NO. 2:20-cv-02322-JD
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	:	
AMERICAN AIRLINES GROUP INC.,	:	<b>JURY TRIAL DEMANDED</b>
et al.	:	
Defendants.	:	

**MEMORANDUM OF LAW IN SUPPORT OF PLAINTIFF’S MOTION TO HOLD  
WITNESS, KENNETH KOONS IN CONTEMPT**

Plaintiff, by and through her undersigned counsel, hereby incorporates her Motion for Contempt as if set forth at length herein.

**WHEREFORE**, Plaintiff respectfully requests this Honorable Court enter the attached proposed Order holding Kenneth Koons in contempt of Court.

**WEISBERG LAW**

/s/ David A. Berlin  
David A. Berlin, Esquire  
Matthew B. Weisberg, Esquire  
*Attorneys for Plaintiff*

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF PENNSYLVANIA (Philadelphia)**

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Defendants.	:	

**CERTIFICATE OF SERVICE**

I, David A. Berlin, Esquire, hereby certify that on this 12<sup>th</sup> day of March 2021, a true and correct copy of the foregoing Motion for Contempt was served via e-filing and regular mail, upon the following parties:

Kenneth Koons  
2661 Willits Road, Apt. S213  
Philadelphia, PA 19114

Daniel Farrington, Esq.  
FISHER & PHILLIPS LLP  
TWO LOGAN SQUARE 12TH FL  
100 N 18TH ST  
PHILADELPHIA, PA 19103

**WEISBERG LAW**

/s/ David A. Berlin

David A. Berlin, Esquire  
Matthew B. Weisberg, Esquire  
*Attorneys for Plaintiff*